



April 23, 2007

Faye Lingo
Town of Millsboro
322 Wilson Highway
Millsboro, DE 19966

RE: PLUS review – PLUS 2007-03-05; Millsboro Comprehensive Plan Amendment

Dear Ms. Lingo:

Thank you for meeting with State agency planners on March 28, 2007 to discuss the proposed Town of Millsboro comprehensive plan amendment to change map 7 of the comprehensive plan (Future Land Use) to reflect the proper zoning for the Millsboro Auto Mart (parcel number 133-16.00-130). The current plan shows this property as residential and it should be shown as Highway commercial.

Please note that changes to the plan, other than those suggested in this letter, could result in additional comments from the State. Additionally, these comments reflect only issues that are the responsibility of the agencies represented at the meeting.

The following are a complete list of comments received by State agencies:

Office of State Planning Coordination – Contact: Bryan Hall 739-3090

The Office of State Planning has no objections to this amendment.

Division of Historical and Cultural Affairs – Contact: Alice Guerrant 739-5685

The Division of Historical and Cultural Affairs has no objections to the proposed change.

Department of Transportation – Contact: Bill Brockenbrough 760-2109

DelDOT has no particular objection to the proposed change if the map was in error when it was prepared or if subsequent events have changed the Town's vision with regard to future land uses in the area.

The Department of Natural Resources and Environmental Control – Contact: Kevin Coyle 739-9071

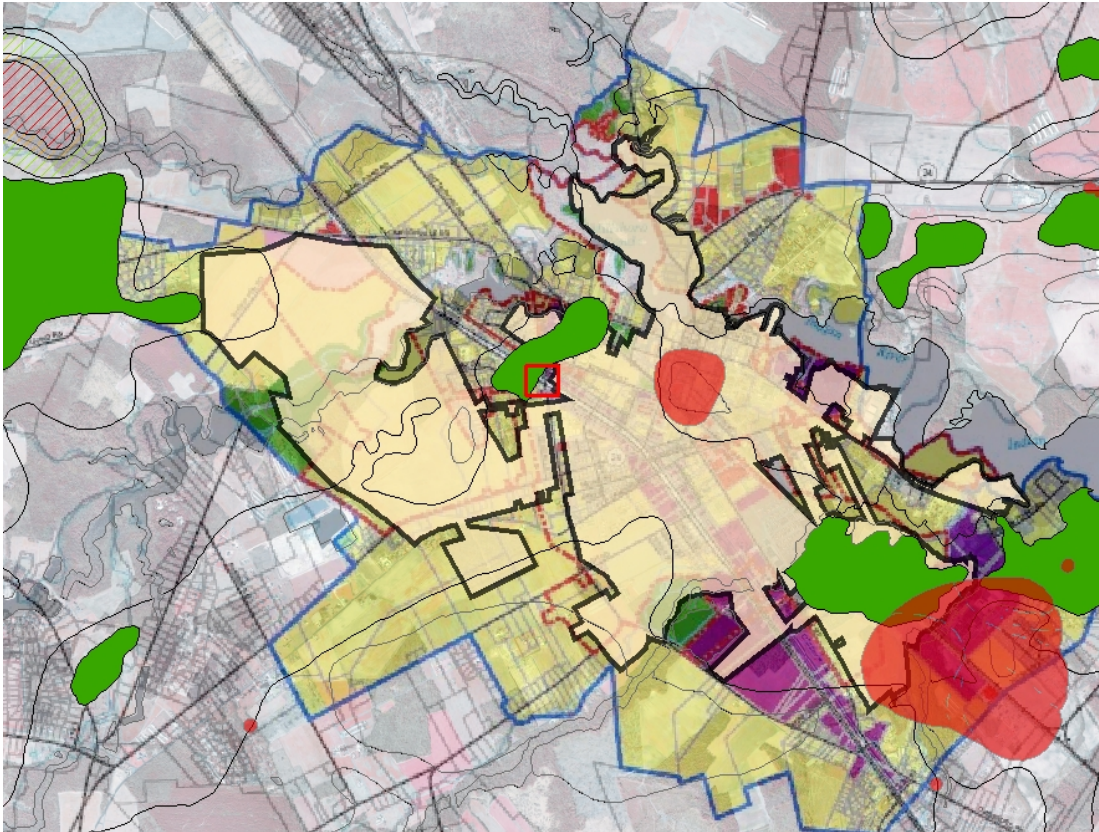
Water Resource Protection Areas

The Water Supply Section has determined that the area designated for a change in zoning does fall within an excellent ground-water recharge potential area (see Maps 1 & 2). The change from residential to highway-commercial has the potential of adversely affect ground water in the area. The Town may chose to scrutinize activities within the parcel to assure the safety of the water entering the surficial aquifer from that site.

- Water Supply recommends that the Town adopt specific language to address impervious cover limitations, storm-water management practices, restricting storage and handling of hazardous materials, preservation of open space, clean recharge practices, and reforestation within excellent ground-water recharge areas.

Map 1. Town of Millsboro Comprehensive Plan Amendment (PLUS 2007-03-05)

The municipal boundaries are shown in beige and outlined in black. The areas of excellent ground-water recharge potential are shown in green. The area proposed for zoning change is outlined in red. Wellhead protection areas are shown in red.



Map 2. Town of Millsboro Comprehensive Plan Amendment (PLUS 2007-03-05)

Inset of Millsboro Auto Mart as it affects the excellent ground-water recharge potential area.



State Fire Marshal's Office – Contact: R.T. Leicht 856-5298

These comments are intended for informational use only and do not constitute any type of approval from the Delaware State Fire Marshal's Office.

The DE State Fire Marshal's Office has the responsibility to review all commercial and residential subdivisions for compliance with the DE State Fire Prevention Regulations. This Agency asks that a MOU be established between the DE State Fire Marshal's Office and the Town of Millsboro. The State Fire Marshal's Office would be issuing approvals much like DelDOT, Kent Conservation, and DNREC. This Agency's approvals are based on the DE State Fire Prevention Regulations only.

The DE State Fire Marshal's Office has no objection to the future land use map changes.

Department of Agriculture - Contact: Scott Blaier 698-4500

The Delaware Department of Agriculture has no objections to the proposed request from the town to amend their comprehensive plan to allow rezoning parcel no. 133-16.00-130 from residential to highway commercial.

Public Service Commission - Contact: Andrea Maucher 739-4247

Any expansion of natural gas or installation of a closed propane system must fall within Pipeline Safety guidelines. Contact: Malak Michael at (302) 739-4247.

Department of Education – Contact: John Marinucci 739-4658

1. The DOE supports the State Strategies for Policies and Spending, to the extent possible and practicable within the limits of the Federal and State mandates under which the Department operates.
2. In its review of Comprehensive Plans and Comprehensive Plan Amendments, the DOE considers:
 - Adequate civil infrastructure availability within the region to accommodate current and future educational facilities.
 - Transportation system connections and availability to support multimodal access within the community, to include but not limited to walk paths, bike paths, and safe pedestrian grade crossings.
 - Transportation road system adequacy to accommodate bus and delivery vehicle traffic to current, planned or potential educational facilities.
 - Recreation facilities and opportunities within the community and their respective proximity to current and planned or potential education facilities. The DOE also recognizes the potential that the educational facilities are to be considered recreational facilities by and within the community.
3. The DOE *typically* considers industrial/commercial development incompatible with educational facilities, however, residential development and educational

- facilities *are typically* considered to be compatible. As a result, the DOE is interested in the proximity of current and planned or potential education facilities to commercial/industrial development zones.
4. The DOE recognizes the integral role of educational facilities within communities. As such, the DOE seeks to assure that residential growth, that generates additional demand on educational facilities, is managed with adequate educational infrastructure being made a part of sub-division plans as appropriate.
 5. The DOE offers its support to assist the town and participate in coordination between the town, the local School District, the County, the Office of State Planning Coordination as well as other school districts and stakeholders as future developments and annexations may be considered.
 6. The DOE has no objections to the Comprehensive Plan Amendment under consideration.

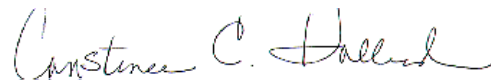
Sussex County – Contact: Richard Kautz 855-7878

The town is encouraged to avoid the creation of new enclaves when annexing, to eliminate existing enclaves during its negotiation of the annexation agreement, and to notify the Sussex County Planning Department when the annexation becomes effective.

As no certification issues are noted with the comprehensive plan amendment, the Town should consider our comments before adopting the amendment. Once the amendment is adopted, please send a copy of the resolution to this office. Our office will issue a letter to confirm that the plan has been certified with the above referenced changes.

Thank you for the opportunity to review this project. If you have any questions, please contact me at 302-739-3090.

Sincerely,

A handwritten signature in dark ink, appearing to read "Constance C. Holland". The signature is fluid and cursive, with the first name being the most prominent.

Constance C. Holland, AICP
Director